

October 30, 2008

Mr. Charles Terreni Chief Clerk/Administrator Public Service Commission of South Carolina P. O. Drawer 11649 Columbia, South Carolina 29211

RE: Docket No. 2008-400-E

Dear Mr. Terreni:

While PEC understands the Commission wanting to give Pilgrim's Pride notice and an opportunity to be heard on this matter, and thereby issuing a 30 day Notice to them, in 30 days this matter may very well be moot, as Pilgrim's Pride may be in bankruptcy. PEC asks that the Commission grant PEC's motion for rule waiver immediately subject to a further order on this matter after the expiration of the 30 day notice. Thus, we ask the Commission to rule on this matter during their meeting scheduled for November 5, 2008.

Very truly yours,

Len S. Anthony

General Counsel-Progress Energy Carolinas

LSA:mhm

Attachment

268252

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKET NO. 2008-400-E

In the Matter of)	
Pilgrim's Pride Corporation,)	
Complainant/Petitioner)	CERTIFICATE OF SERVICE
v.)	
Progress Energy Carolinas, Inc.)	
Defendant/Respondent)	

I, Marsha H. Manning, hereby certify that Progress Energy Carolinas, Inc.'s letter response to the Commission's 30-day Notice has been served on all parties of record electronically, by hand delivery or by depositing said copy in the United States Mail, postage prepaid, addressed as follows this the 30th day of October, 2008:

Shealy Boland Reibold Office of Regulatory Staff 1441 Main Street, Suite 300 Columbia, SC 29201 John Flitter Director of Electric and Gas Regulation 1401 Main Street, Suite 900 Columbia, SC 29201

Marsha H. Manning

Senior Legal Secretary to Len S. Anthony